

Attorney Docket No. : Heraeus 383-WCG  
: P09860US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Andrej ALBACH  
For : SYRINGE FOR THE METERED DELIVERY OF DENTAL  
MATERIALS  
Serial No. : To Be Assigned  
Filed : Herewith  
Art Unit : To Be Assigned  
Examiner : To Be Assigned

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November 27, 2001

BOX PATENT APPLICATION  
Hon. Assistant Commissioner  
for Patents  
Washington, D. C. 20231

**PRELIMINARY AMENDMENT**

Sir:

In advance of prosecution, kindly amend the above-identified application as follows  
and consider the following remarks:

**IN THE CLAIMS:**

Please cancel the previous version of the following claims and replace them with the  
following rewritten version. A marked up copy showing the amendment since the previous  
version is annexed as separate pages.

Claim 1 (amended). A syringe for delivering flowable and/or highly viscous  
materials with a syringe tube, which has an outlet nozzle, a material container disposed

therein, a handle, which is disposed at the end of the syringe tube opposite to the outlet nozzle, and a syringe piston, which can be moved through the handle into the syringe tube, wherein the handle is connected by means of a thread to the syringe tube and the material container has a closed lateral surface around its axis.

Claim 2 (amended). The syringe of claim 1, wherein one end of the material container is disposed at the outlet nozzle and a plug, which can be moved between the ends, is disposed at the opposite ends, the end of the syringe piston, which can be moved into the syringe, being constructed to lie in contact with the plug.

Claim 3 (amended). The syringe of claim 2, wherein the lateral surface of the material container around the axis is dimensionally stable.

Claim 4 (amended). The syringe of claim 3, wherein the ends of the material container are constructed open.

Claim 5 (amended). The syringe of claim 1, wherein the material container is formed from a flexible material and a plug, which can be moved in the syringe tube, is disposed at the end of the material container facing the handle, the end of the syringe piston, which can be moved into the syringe, being constructed to lie in contact with the plug.

Claim 6 (amended). The syringe of any one of claims 1 to 5, wherein the external diameter of the material container is about equal in size to the internal diameter of the syringe tube.

Claim 7 (amended). The syringe of any one of claims 1 to 5, wherein the syringe tube and the outlet nozzle are constructed in one piece.

Claim 8 (amended). A method for delivering dental materials, which comprises delivering said dental materials with the syringe of claim 1.

#### REMARKS

This Preliminary Amendment is being filed to provide for proper multiple dependency, provide for proper idiomatic English and to eliminate designating numbers from the text of the claims.

The amendments are formal only and do not affect the scope or meaning of the claims. Accordingly, Applicants right to the full benefit of the Doctrine of Equivalents is not affected by the present amendments.

Favorable action is respectfully solicited.

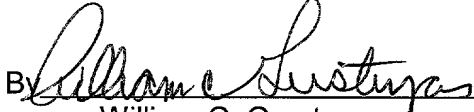
ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No.

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Respectfully submitted,

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Norris McLaughlin & Marcus, P.A.

By   
Date: 11/27/01

MARKED-UP COPY OF AMENDED CLAIM,  
SHOWING CHANGES RELATIVE TO PREVIOUS VERSION

Claim 1 (amended). A syringe for delivering flowable and/or highly viscous materials with a syringe tube, which has an outlet nozzle, a material container [ is] disposed therein, a handle, which is disposed at the end of the syringe tube opposite to the outlet nozzle, and a syringe piston, which can be moved through the handle into the syringe tube, wherein the handle [(8)] is connected by means of a thread [(12)] to the syringe tube [(1)] and the material container [(5)] has a closed lateral surface around [the] its axis.

Claim 2 (amended). The syringe of claim 1, wherein one end of the material container [(5)] is disposed at the outlet nozzle [(2)] and a plug [(6)], which can be moved between the ends, is disposed at the opposite ends, the end [,] of the syringe piston [(11)], which can be moved into the syringe, being constructed to lie in contact with the plug [(6)].

Claim 3 (amended). The syringe of claim 2, wherein the lateral surface of the material container [(5)] around the axis is dimensionally stable.

Claim 4 (amended). The syringe of claim 3, wherein the ends of the material container [(5)] are constructed open.

Claim 5 (amended). The syringe of claim 1, wherein the material container [(5)] is formed from a flexible material and a plug [(6)], which can be moved in the syringe tube [(1)], is disposed at the end of the material container [(5)] facing the handle [(8)], the end of

the syringe piston [(11)], which can be moved into the syringe, being constructed to lie in contact with the plug [(6)].

Claim 6 (amended). The syringe of any one of [the] claims 1 to 5, wherein the external diameter of the material container [(5)] is about equal in size to the internal diameter of the syringe tube [(1)].

Claim 7 (amended). The syringe of any one of [the] claims 1 to [6] 5, wherein the syringe tube [(1)] and the outlet nozzle [(2)] are constructed in one piece.

Claim 8 (amended). [The use of a syringe of claims 1 to 7] A method for delivering dental materials, which comprises delivering said dental materials with the syringe of claim 1.